

REMARKS

Reconsideration of the subject application in view of the above amendment is respectfully requested.

By the present amendment, claims 1, 2, 4, 6 and 8 have been amended. Claims 2, 4, 6 and 8 have been amended to correct informal errors therein. Support for the amendment to claim 1 is found on page 4, paragraphs 1 and 2 of the specification and Fig. 2. No new matter has been added.

Based on the foregoing amendment and the following remarks, the application is deemed to be in condition for allowance, and action to that end is respectfully requested.

The Examiner has objected to claims 2 and 6-11 based on certain informalities. Claims 2 and 6 have been amended to overcome the Examiner's objections. Claims 7-11 depend on claim 6, which has been amended to overcome the objection thereto. Accordingly, Applicant respectfully requests entry of the amendment to the claims and withdrawal of the objections thereto.

The Examiner has rejected claims 6-11 under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. Claims 6 and 8 have been amended to overcome this rejection. Claims 7-11 depend on amended claim 6 as amended

to overcome the rejection thereto. Accordingly, Applicant respectfully requests entry of the amendment to claims 6 and 8 and withdrawal of the rejection to claims 6-11. No new matter has been added.

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,688,005 to Tachibana et al. (Tachibana). Applicant respectfully disagrees with this rejection.

Tachibana discloses a cylindrical resilient member as a secondary bearing element and not one configured as a circular ring with a cross section of one of a circular, oval or polygon shape, as recited in claim 1 as amended.

A rejection based on U.S.C. § 102 as in the present case, requires that the cited reference disclose each and every element covered by the Claim. Electro Medical Systems S.A. v. Cooper Life Sciences, 32 U.S.P.Q. 2d 1017, 1019 (Fed. Cir. 1994); Lewmar Marine Inc. v. Barient Inc., 3 U.S.P.Q. 2d 1766, 1767-68 (Fed. Cir. 1987); Verdegaal Bros., Inc. v. Union Oil Co., 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987). The federal Circuit has mandated that 35 U.S.C. § 102 requires no less than “complete anticipation . . . [a]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim.” Connell v. Sears, Roebuck & Co., 220 U.S.P.Q. 193,

198 (Fed. Cir. 1983); See also, Electro Medical Systems, 32 U.S.P.Q. 2d at 1019; Verdegaal Bros. , 2 U.S.P.Q. 2d at 1053.

Since Tachibana fails to disclose each and every feature of independent claim 1, Tachibana, as a matter of law, does not anticipate the present invention, as defined by said independent claim.

In view of the above, it is respectfully submitted that Tachibana does not anticipate or make obvious the present invention as defined in claim 1, and the present invention is patentable over Tachibana.

Claim 2 depends on claim 1 and is allowable for the same reasons claim 1 is allowable and further because of specific features recited therein which, when taken alone and/or in combination with features recited in claim 1, are not disclosed or suggested in the prior art.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects, in order to place the case in condition for final allowance, then it is respectfully requested that such amendment or correction be carried out by Examiner's amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully Submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450 on March 8, 2005.

